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DOCUMENTS RELATING TO THE WILL OF LUCA DI  
SIMONE DELLA ROBBIA

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THE notary's copy of the Last Will and Testament of Luca della Robbia was discovered by Giovanni Gaye and a partial transcription of it was published by him in his *Carteggio inedito d'artisti dei secoli XIV, XV e XVI*, printed in three volumes in Florence during the years 1839-1840. Since then this transcription has been accepted without question, and it has been cited verbatim at least twice, first by Maud Cruttwell<sup>1</sup> and again by Professor Allan Marquand.<sup>2</sup> Some months ago I decided to collate Gaye's transcription with the original and soon saw that it was far from satisfactory. Gaye had copied only a part of the instrument; had omitted a number of words, which perhaps he was unable to decipher; had made a number of mistakes, more or less important, in transcribing others; and in the case of the clause dealing with the small legacy to the Opera di Santa Maria del Fiore had fallen into grievous error. Accordingly, in view of the importance of the document, I determined to make a careful revision of Gaye's version and to decipher and transcribe the portions of the will which had not been copied by him. My work has been done with the greatest care and, so far as I know, an accurate and complete transcription of the will now appears in print for the first time. I also present a hitherto unpublished photograph of the second page of Ser Agnolo's record which is of great interest as it shows the changes which Luca made in his will after the first draft had been prepared.

The documents<sup>3</sup> presented are: I, the Registration Entry of the will; II, Gaye's version of the instrument, cited from Professor Marquand's *Luca della Robbia*; III, my own revised and complete transcription; IV, a Mandate, given to Simone della Robbia

<sup>1</sup> *Luca and Andrea della Robbia and their Successors*, pp. 304-305.

<sup>2</sup> *Luca della Robbia*, pp. xxvii and xxviii.

<sup>3</sup> It is a pleasure to express my hearty appreciation of the courteous aid, which I have received from Dr. Achille de Rubertis and Dr. Giovanni Cecchini, of the Florentine Archives, in deciphering certain difficult portions of the documents.

by his uncle, Luca; V, Gaye's version of the Power of Attorney, given by Luca to Simone to decline for him the office of Consul of the Guild of Masons and Woodcarvers—cited from Professor Marquand's *Luca della Robbia*; VI, my own revised and complete transcription. Documents Nos. I and IV have never been published, even in part.

The first document was discovered by Gaetano Milanesi and his transcription was found by me in his *Miscellanea*. I have endeavored to locate the original record but without success. The "*Registro di Santa Maria Novella, No. VII*" exists but the Registration Entry does not appear on page 46 or on any other page of this *Registro*. Nor does it appear in any of the other *Registri di Santa Maria Novella*, a complete series of which exists. For all the *Registri* of the four Quartieri (Santa Croce, San Giovanni, Santa Maria Novella, and Santo Spirito) there are indices *by name of testator*, the references being to the various *Registri* by number. In one of these indices labeled "Santa Maria Novella—San Giovanni," and referring to the *Registri*, No. VII of the respective Quartieri, I found Luca's name as testator, but the reference was to *San Giovanni, No. VII*, not to *Santa Maria Novella, No. VII*. A consultation of the inventory of the *Appendice dell' Archivio Notarile* revealed the fact that the entire series of the *Registri di San Giovanni* no longer exists. We must, therefore, assume that No. VII, at least, of this series was in existence when Milanesi made his transcription, that it has disappeared since then, and that Milanesi, through an inadvertence, gave the wrong reference.

Ser Agnolo's copy of the will (Documents II and III), drawn by him for Luca della Robbia, covers two pages of the bound volume in which the notary kept copies of all the testaments drawn by him during the years 1442 to 1489. Almost all of the record, in which we are especially interested, was written in his own handwriting, which, as will be seen from the photograph, is regular and not very difficult to read. A comparison of Document II with Document III shows that Gaye dismissed the opening clause with a few words and that he omitted all of the second clause prior to "*Lucas*" and also all of it after the word "*decedere*." It will also be observed that a number of words in the third clause were not transcribed by him.

When Gaye dealt with the fourth clause, he went very far astray for he interpreted what was merely the usual small testa-

mentary provision to cover the expense of registration as a positive legacy of 18 Florins to the Opera. It is only just to him to state that the handwriting is a little difficult at this point; but, had he referred to previous wills, he would have found this identical clause again and again, and so clearly written as to be easily deciphered. Just how he was led astray in making his copy it would be difficult to explain without a photograph to show the original text. However, if the reader will look carefully at the abbreviation for the "*con*," in the word "*confectum*," the next to the last in the photographed text, and bear in mind that this same abbreviation was used for the "*con*" in the word "*constructioni*" in the fourth clause, he will at once understand the origin of the figure "9" in Gaye's transcription.

The fifth clause is by far the most interesting one in the will. It will be seen that, while there are omissions and misreadings (some of them important), in the main Gaye's transcription is accurate. This clause throws a most interesting side light on Luca's character and on his sense of responsibility toward his two nephews. Andrea had been taught to bear his mantle as sculptor and master of terracotta. Therefore, the *atelier*, with its good will, credits, and documents, should with propriety be bequeathed<sup>1</sup> to Andrea, and as the business was an exceedingly prosperous one the exercise of it would ensure a comfortable and dignified existence for him and his family.

Simone, on the other hand, had not been taught anything by his uncle and, inasmuch as the residuary estate did not equal the value of the business bequeathed to Andrea, it seemed to Luca that in making Simone sole heir of the residuum of his property, he had made a proper and equitable division of his possessions between his two nephews.

A careful study of the photograph reveals several points of interest. The first draft of the fifth clause very evidently did not seem to be sufficiently strong and convincing to Luca. Accordingly, to intensify his statement as to the lucrateness of the atelier he had the phrase beginning with *usque* and ending with *superlucrarj* added; and as the notary probably did not wish to rewrite his copy he wrote the alteration in the margin. It will also be noted that, in the fourth line, the text read originally

<sup>1</sup> The wording of the text would seem to indicate that, if Luca had not actually consigned the *atelier* to Andrea, he had every intention of doing so at an early date.

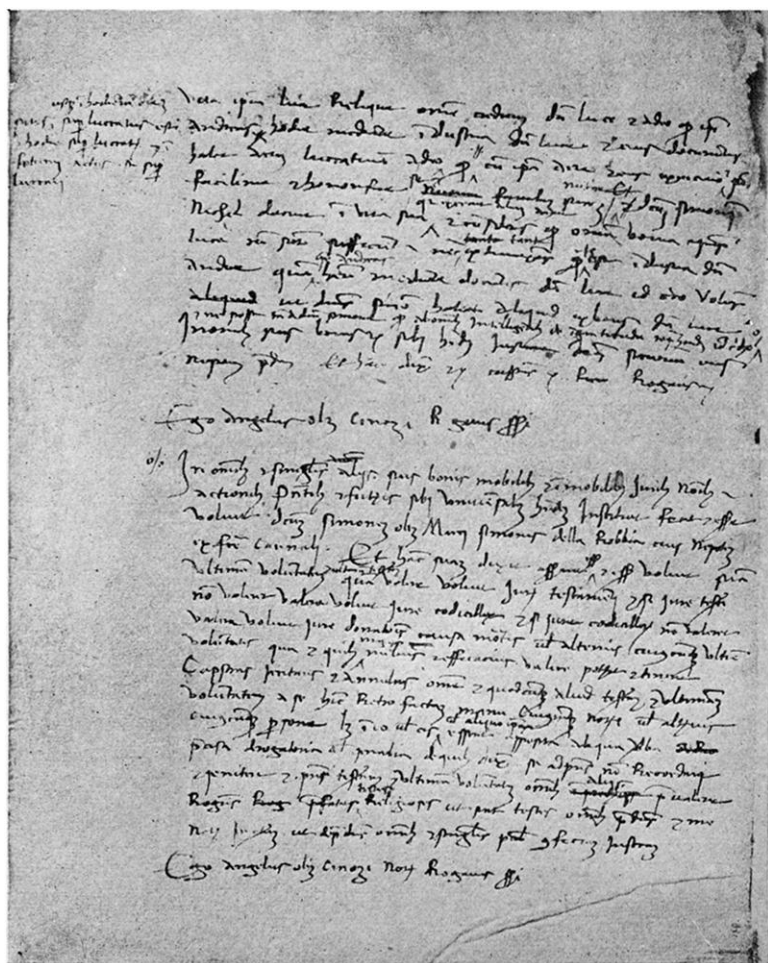


FIGURE 1.—THE WILL OF LUCA DELLA ROBBIA: PAGE 2.

*nutrire familiam suam*, which was changed and strengthened to *se et familiam suam nutrire*. Again, in the next line, Luca wished it to be clearly understood that he had not given Simone any instruction, and, therefore, he had the phrase *quia exercet aliam artem* (because he is practicing another craft) added as evidence to verify his statement—an interesting point overlooked by Gaye, possibly because he was unable to puzzle out the word *quia* in its abbreviated form. It will also be seen that the phrase beginning *et nec*

*posset* and ending with *idcircho* was an addition to the first draft of the will to support Luca in his action regarding Simone. And finally the sixth, and last, clause, which in the first draft was expressed in two lines, was entirely rewritten and amplified in the strongest possible legal phraseology and it was added to the notary's copy below his signature at the end of the first draft. The notary then wrote his signature again below this revised clause. As this revision bears no date it was probably composed on the same day as the rest of the will. Certainly it was written before the instrument was executed and presented for registration. The executed draft must have contained all the additions and alterations, to which attention has been called, and after the word *idcircho* the revised last clause took the place of the two-line clause in the first draft.

In 'Unpublished Documents Relating to the Will of Andrea della Robbia'<sup>1</sup> I pointed out that this will appears to have brought about a serious misunderstanding between Andrea and his brother, Simone. Andrea's family, at the time Luca's will was drawn, consisted of his wife and four children. When Luca died in February 1481 (modern style 1482), Andrea's children were eight in number. While, therefore, Luca's superlatives in referring to the lucrativeness of the *atelier* were doubtless justified by the facts, Andrea may well have thought that what was amply sufficient for the proper maintenance of six was not enough for ten. He may also have reasoned sardonically that the *atelier* was of little use to him except as he made it profitable by his own efforts, while, on the other hand, Simone, without any effort on his part, had already received a handsome gift of 750 Florins (Doc. IV<sup>2</sup>) in cash from Luca and probably also had inherited more cash and other property after Luca's death. For the development of this misunderstanding I refer the reader, who may be interested, to my article mentioned above.

Luca appears to have had either a weakness for, or strong sense of duty toward Simone. Prior to the will we have documentary evidence proving that such special interest existed on his part.

<sup>1</sup> A. J. A. XXIV, 1920, p. 138.

<sup>2</sup> The mandate, given to Simone by Luca, possibly indicated that the latter feared that some objection might be made to the will, after his death, and that, therefore, he wished to be sure that Simone actually received the money. Or it may have been merely a desire on his part to have the pleasure of making the gift in person. It is fair to assume that by this time, if not before, the *atelier* had been transferred by him to Andrea.

In 1465 Simone matriculated in the Guild of Masons and Woodcarvers, through the powerful influence of his uncle, as is shown by the following unpublished document:

"Simone di marco della robbia recognovit matriculatum luce eius patruj die XVII Augustj 1465."

[*Archivio di Stato, Arte dei Maestri di Pietra e Legname, Libro dei Matricolati, segnato Arti II, Cod. 2 c. 125<sup>t</sup>.*]

In 1471 Luca gave power-of-attorney (Documents V and VI) to Simone to decline for him the office of Consul of their Guild as Luca stated that he was not able on account of age and infirmity, to perform the duties of the office.<sup>1</sup> This document was discovered by Gaye and published in part by him in his *Carteggio*. His transcription (Doc. V) has already been quoted by Miss Cruttwell and Professor Marquand from whose *Luca della Robbia* I have cited. Document VI is my revised and complete transcription. It will be noted that Gaye not only gave the date incorrectly and misread certain words, but that he also omitted the latter, and very interesting, half of the original.

It is rather difficult to explain Luca's marked consideration (even if we may not call it favoritism) for Simone except on the ground of personality. Certainly there can have been no artistic bond between them for such documentary evidence as we have all tends to demonstrate that Simone had nothing of the genius displayed by his uncle and brother. While it is doubtless true that Simone was not actively employed in Luca's *atelier* he must have constantly seen his uncle and brother at work; and had the spark of genius been in him it would have shown itself under the stimulus given by such an atmosphere. In 1485, when Simone left the family home on Via Guelfa, a certain Matteo da Terra Rossa, a *fornaciaio* (furnace man—in this case a firer of terracotta), is mentioned as making a payment for Simone which was credited to the account of Andrea by the Capitolo di Santa Maria del Fiore which owned a ground lease on the della Robbia home. This reference would seem to show that Matteo and Simone were associates.

<sup>1</sup> In *L'Arte* XXII, 1919, p. 243, I published the only account existing between the Guild and Luca. It shows that Luca, or possibly Simone as his attorney, acted as member of the Council for the last four months of the year 1471. Also that, either personally or represented by Simone as his attorney (we do not know which was the case), he was counselor or consul for the first third of 1474, the last third of 1475, the second third of 1477, and the first third of 1480. And that, either in person, or Simone for him, he served as *Sindaco* for the last four months of 1475.

In 1495/96, when Andrea was making the *tondi* for the portico of the Ospedale di San Paolo, documents show that this same Matteo and his brother, Marco, sons of Paolo da Terra Rossa, *fornaciai* supplied material (probably roofing or paving tiles) for the portico, and that Simone was associated with them, as after his name the expression "*sta colloro*" is used. It may, therefore, safely be asserted that Simone's knowledge of the art of terracotta was limited strictly to the firing part. In justice to him it should be noted that, while he appears to have been a man of mediocre ability, yet there must have been some big element in his mental equipment as his son, Luca, became one of the greatest Latin scholars of his day.

## DOCUMENTS

### I

Ser Agnolo di Cinózso di Gio. Cini (da Cascade) Lucas olim Simonis Marci della Robbia scultor condedit testam(entum) 1470 19 Februarii Simonem Marci Simonis della Robbia eius nipotem ex fratre. (*Archivio di Stato, Registro di S<sup>a</sup> M<sup>a</sup> Novella*, VII a c. 46. Cited from Milanese, *Misc.* 39 III p c. 20.)

### II

Testament of Luca della Robbia 1471 (Old Style 1470).

"In Dei nomine amen, Anno Domini etc, 1470, indictione iv. et die 19 februarii, presentibus—septem fratribus S. Marci.

Lucas olim Simonis marci della Robbia, scultor, civis florentinus, de populo S. Laurentii de Florentia, sanus mente, sensu, corpore, visu et intellectu, nolens intestatus decedere, etc. . . .

Imprimis quidem animam suam omnipotenti Deo ejusque gloriose Matri humiliter et devote recommandavit—et sepulturam corporis sui elegit eo loco et cum illis funeris expensis, prout videbitur suo heredi.

Item reliquit et legavit opere Scē Maria flor. 9 et novem floren. fabrice dicte opere.

Item legavit—domine Checche ejus nipote et filie olim marci Simonis della Robbia, vedue, flor. aur. centum, quos solvi voluit per ejus heredem.

Item dicens—qualiter ipse habet duos nipotes ex fratre, videlicet Andream et Simonem fratres, et filios Marci Simonis della Robbia, et qualiter ipse Lucas tempore vite sue docuit artem suam sculpture dictum Andream, et adeo quod ipse Andreas per se ut magister potest exercere artem dicti Luce, et eidem Andree in vita ipsius Luce reliquit omnem creditum dicti Luce, et adeo quod ipse Andreas mediante industria dicti Luce et ejus documentis habet artem lucrativam adeo, quod usque in hodiernum diem satis superlucratus est, et hodie superlucratur, et in futurum actus est superlucrari, cum ipsa arte et ejus exercitio potest facillime et honorifice familiam suam nutrire, et dictum Simonem nihil docuit in vita sua; et considerans quod omnia bona non sunt sufficientia nec tanta, quanta industria dicti Andree, quam ipse habet Andreas mediante donatione dicti Luce, et volens ut dictus Simon habeat aliquid ex



bonis dicti Luce, et ne posset tam a dicto Simone quam ab hominibus intelligentibus de ingratitudine reprehendi, in omnibus ejus bonis heredem instituit dictum Simonem, ejus nepotem predictum etc.”

[*Archivio Generale di Firenze, Rogiti di Ser Agnolo di Cinozzo*. Quoted by Cruttwell, pp. 304–305, from Gaye, I, pp. 184–185.]

### III

(In margine: Et publicavi ut hic et Restituj dicto Simonj heredi)

1470 (modern style 1471) die xviii Februarij

In Dei Nomine Amen Anno Dominj ab Eius Salutifere Incarnatione Millesimo quadringentesimo septuagesimo Indictione iiij<sup>a</sup> et die xviii<sup>a</sup> mensis Februarij Actum Florentie in refectorio Fratrum Sci Marcj de Florentia presentibus Fratre Honofrio Andree Honofrj de Florentia

Fratre Alessandro Filippi de Florentia

Fratre Antonio Angelj dellaione (?)

Fratre Stefano Stefanj

Fratre Marcho Pierj Sicchello

Fratre Zanolio Mattej

Fratre Sante Bardini

omnibus fratribus ecclesie Sci Marcj de Florentia testibus ad infrascripta omnia et singula proprio hore infrascripti testatoris vocatis habitis et rogatis Cum nihil sit certius morte et nihil incertius eius hora hinc est Quod providus et discretus Vir Lucas olim Simonis Marci della Robbia scultor civis florentinus et de populo S. Laurentij de Florentia sanus mente sensu corpore visu et intellectu nolens intestatus decedere sed de suis bonis legitime providere suum quod dicitur nuncupatum testamentum sine scriptis procuravit et fecit seu condedit in hunc modo videlicet

In primis quidem animam suam Omnipotenti Deo Eiusque Gloriose Virgini Matri et toti Celestis Curie Paradisi humiliter et devote raccomandavit et sepulturam corporis suj elegit eo loco et cum illis funeris expensis prout videbitur intrascripto suo heredi

Item reliquit et legavit opere Scē Marie Floris de Florentia et nove constructioni murarum civitatis Florentie et nove fabrice dictae opere jnter omnes libras duas f.p.

Item jure legati Reliquit et legavit domine Checche eius nipote et filie olim Marci Simonis della Robbia vedue Flor. aur. centum quos solvi et dari voluit per infrascriptam primam heredem

Item dicens et asserens dictus testator qualiter ipse habet duos nipotes ex fratre videlicet Andream et Simonem fratres et filios olim Marcj Simonis della Robbia eius nipotes ex fratri carnalj et qualiter ipse Lucas tempore vite sue docuit artem suam sculpture dictum Andream et adeo quod ipse Andreas per se ut magister potest exercere artem dicti Luce et eidem Andree in<sup>1</sup> vita ipsius Luce reliquit omnem creditum dicti Luce et adeo quod ipse Andreas hodie mediante industria dicti Luce et eius documentis habet artem lucrativam adeo quod usque in hodiernum diem satis superlucratus est et hodie superlucratur et in futurum actus (having the meaning of *aptus*) est superlucrarj cum ipsa arte et eius exercitio et poterit facillime et honerifice se et familiam suam nutrire Et dictum Simonem nihil docuit in vitā sua quia exercet aliam artem et considerans quod

<sup>1</sup>The photographed text begins here.

omnia bona ipsius Luce non sunt sufficientia nec tante extimationis quante est industria dicti Andree quam ipse Andreas haberet mediante donatione dicti Luce idcirco volens ut dictus Simon habeat aliquid ex bonis dicti Luce et nec posset tam a dicto Simoni quam ab omnibus intelligentibus de ingratitudine reprehendi idcircho.<sup>o</sup>

In omnibus suis bonis etc sibi heredem instituit dictum Simonem eius nipotem predictum Et hanc dixit etc cassans etc Rogans etc

Ego angelus olim cinozi Rogatus suprascripti

“In omnibus et singulis alijs suis bonis mobilibus et immobilibus juribus nominibus et actionibus presentibus et futuris sibi universalem heredem instituit fecit et essere voluit dictum Simonem olim Marci Simonis della Robbia eius nipotem ex fratre carnali Et hanc suam dixit asservit essere et essere voluit suam ultimam voluntatem et ultimum testamentum quam valere voluit iure testamenti et se iure testamenti non valeret valere voluit iure codicillarum et se iure codicillarum non valeret valere voluit iure donationis causa mortis vel alterius cuiuscumque ultime voluntatis qua et quibus magis melius efficacius valere poterit et tenerit.

Cassans irritans et annullans omnem et quodcumque aliud testamentum et ultimam voluntatem a se hinc Retro factum manu cuiusque notari vel alterius cuiuscumque persone licet in eo vel eis vel aliquo ipsarum essent apposita aliqua verba precisa derogatoria vel penalia de quibus dixit se ad presens non Ricordari et penitere et presens testamentum et ultimam voluntatem omnibus alijs prevalere.

Rogantes prefates testes Religiosos ut sint testes omnibus predictis et me notarium infrascriptum ut de predictis omnibus et singulis presentem confectum instrumentum

Ego angelus olim Cinozi notarius Rogatus suprascripti

(*Archiv. idem, Rogiti di Ser Agnolo di Cinozzo di Cino, Testamenti 1442-1489, segnato Notai C. 525 a c. 120 e 120<sup>t</sup>*)

#### IV

Item postea dictis anno indictione et die xx<sup>mo</sup> mensis Maij Actum Florentie in populo Sancti Laurentij presentibus Petro Michaelis del giogante (?) et Benedicto vocato Cianfanina ministro Gabelle Contractum civitatis Florentie ambobus dicti populi Sancti Laurentij de Florentia testibus etc

MCCCClxxxj Indictione XIIIJ

(In margine: Mandatum Luce Simonis della Robbia)

Lucas olim Simonis Marci della Robbia civis Florentinus non Revocando etc omni modo etc fecit etc suum procuratorem etc Simonem eius nipotem ex fratre et filium olim Marci Simonis della Robbia ibidem presentem etc specialiter et nominatim ad promutandum etc usque in quantitatem Florenorum septingintorum quinquaginta Montis Comunis comunitatis Florentie in totum semel et plures etc et illos ponendum ad computum etc et propterea dandum quaecumque licentiam etc et generaliter etc dans etc promittens etc Rogans etc

[*Archiv. idem, Rogiti di Ser Agnolo di Cinozzo di Cino, 1475-1488, segnato Notai C. 525 c. 129<sup>t</sup> e 130*]

## V

*Luca declines office of Consul of Guild of Masons and Woodcarvers.*

1471, Aug. 4. "Lucas olim Simonis della Robbia, civis florent. extractus ut ipse asserit, in consulem artis magistrorum de florentia, dicens et asserens se esse et etate et infirmitate adeo gravatus, quod sine periculo sue persone dictum officium commodè exercere non posset etc. . . ."

[*Archivio Generale di Firenze, Rogiti di Ser Agnolo di Cinozzo*. Quoted by Cruttwell, pp. 305-306 from Gaye, I, pp. 185-186, note 1.]

## VI

"Item postea dictis anno (MCCCClxxj) Indictione et die secundo mensis septembris Actum flor. in popolo Sci Laurentij de flor<sup>a</sup> presentibus Petro antonij legnaiuolo popoli Sci Laurentij predicti et Guglielmo julianj filatoraio dicti popoli Sci Laur. testibus etc."

(In margin: Procura Luce della Robbia)

"Lucas olim simonis della Robbia civis flor. extractus ut ipse asservit in consulem artis Magistrorum de flor<sup>a</sup> dicens et asserens se esse et etate et infirmitate adeo gravatus quod sine periculo sue persone dictum officium commodò exercere non posset omni modo etc fecit etc suum procuratorem etc Simonem Marcj della robbia eius nipotem ex fratre specialiter et nominatim ad Renuntiandum dictum officium consulatus et propterea quodlibet juramentum jn predictis necessarium prestandum etc etc et generaliter etc dans etc promictens etc Rogans etc."

[*Archivio dello Stato, Rogiti di Ser Agnolo di Cinozzo di Cino, 1463-1474, Segnato Notai C. 525 c. 304r*]

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